

EXHIBIT B

For the Public Record for the Board of
Prison Commissioners Meeting 4/1/08 -
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<http://sos.state.nv.us/information/news/PublicNotices/PDF/BdStatePrisonCommissionerAgenda040808.pdf><http://sos.state.nv.us/information/news/PublicNotices/PDF/BdStatePrisonCommissionerAgenda040808.pdf>

Hi Everyone--

From Gls Jones

I hope to see you all at this meeting--It starts at noon and public comment is scheduled near the end of the meeting but the Prison Board may change the order of the agenda== see above.

John L. Smith RJ columnist so clearly asked in his column this past week, Why are we as taxpayers paying for the DOC to build more hard beds at High Desert and Indian Springs Correctional Center when NDOC Dir. Howard Skolnik has said he can close a NV prison, Jean, that we refurbished recently to the tune of huge taxpayer dollars. The information this past week from the DOC was that two more prison camps were scheduled to close. Let's all ask DOC Dir. Skolnik, What is going on?

I hope you will all attend this meeting---bring a copy of John L. Smith's article and read it into the public record just in case the Board--Gov. Gibbons, AG Masto and Sec. of State Miller have not read it.

At the Prison Board's previous meeting a few Administrative Regulations were discussed but not passed. One comes to my mind AR 803.

AR803 regards Meritorious Credits that the Dept. of Prison wants to call merit credits rather than days that the NRS clearly state.

The Dept. of Prisons has woven a maze between behavior good time credits that an inmate given by statute for just being in prison and behaving and **EARNED GOOD TIME CREDITS** that an inmate may earn by getting an education--work--meritorious activities--etc.

The prison has concocted a formula that adjusts the projected method they want to use to credit good time for inmates--it does work on the good time for behavior for just behaving in prison. Even the prison case workers seem to be confused about how this projected formula works. Often inmates get good time credits put on their sentence long after they are on parole thereby just reducing their time on parole and not affecting the hard bed population--

BUT THE NDOC'S FORMULA DOES NOT WORK AT ALL for the **EARNED GOOD TIME CREDITS** for education, work, meritorious credits etc.-in fact the application by the NDOC of their concocted formula which has no authorization from the NRS is cheating **THE TAXPAYERS** and the inmates because instead of granting a DAY= a 24 hour period of time for **EARNED CREDITS** THE NDOC REDUCES THE DAY set out clearly in the NV Revised

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Statutes for EARNED GOOD TIME FOR EDUCATION, WORK ETC BY THE
SAME FORMULA. UP TO JULY 1 2007 the DOC reduced EARNED CREDITS
BY 1/3 AND NOW BECAUSE OF AB510 BY 50%.

I have spoken with AG Mastro and her Chief Deputy in Las Vegas Christine
Guirce twice-about the misapplication of the inmate earned credits---so far I
am just being told they are aware of the situation and looking into it!!

It only seems smart to me that the Board of Prison Commissioners, who now
have acknowledged publicly that they are the boss and oversight board for the
NDOC, would want to compromise and settle this mess that has been going on
for many years by the NDOC before inmates in mass file law suits which will
just cost we the TAXPAYERS MORE MONEY.

I have heard the public officials, elected, appointed and hired say, "Just sue
us."

The problem is that we the taxpayers are the ones who have to pay for their
mistakes. Agape Flo Jones

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JOHN L. SMITH: No one questions closing one prison and expanding another



JOHN L. SMITH

MORE COLUMNSeForums

Facing a nearly \$900 million revenue shortfall, Gov. Jim Gibbons is on a mission to find places to cut the state budget. I suggest he look anywhere but Nevada's prison system.

Because if he does, Gibbons eventually might have to explain how a state with a backlog of parole eligible inmates and a flattening prison population continues to justify spending \$300 million to expand one facility while simultaneously closing another.

That's happening right under the noses of lowly taxpayers. The prison construction business is booming.

While severely disabled children on Medicaid are losing their nurses because of insufficient funding, the \$300 million expansion of the High Desert State Prison and the Southern Desert Correctional Center outside Indian Springs continues apace. In Nevada, there's always money for prison construction.

There's been so much money available in the past 20 years, in fact, that at times new prisons have remained empty. Such was the case with the Lovelock Correctional Center, which for months in the mid-1990s sported a warden without a single inmate.

Although eventually even the empty prisons are filled, today there's a 1,300-person backlog of prisoners waiting for parole hearings in this state. That's about one in 10 of Nevada's 13,000 inmates.

The established argument is always that the state's prison population is constantly surging, but in fact that growth is more gradual. While it rises along with the state's general population, back in 2002 the inmate numbers were so flat that a planned \$49 million, 1,000-bed expansion at High Desert approved by the 2001 Legislature wasn't needed. Back then, the state's prison population was 735 less than projected, and High Desert's future was in doubt.

There's no doubt the costly expansion will be needed this time, though. That's because the state on July 1 is scheduled to close the 570-bed Southern Nevada Correctional Center at Jean. While builders are preparing the new expansion at Indian Springs, local law enforcement has shown an interest in leasing the Jean prison for use as an overflow jail.

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It won't be the first time the lights went out at Jean. Back in 1999, the Legislature and Gov. Kenny Guinn decided to close it as a cost-saving measure while the state was busy justifying the expense of building High Desert.

History is in the process of repeating itself.

State Corrections Director Howard Skolnik, who wasn't involved in any of the decision-making, has the unenviable responsibility of explaining the bureaucratic logic behind closing a perfectly good prison 33 miles south of Las Vegas and moving inmates to a perfectly good prison 40 miles north of Las Vegas.

Skolnik says closing Jean and transporting the prisoners will save the department's ailing operating budget and will help allow him to forgo sacking employees.

"We had to reduce our budget," he says. "We've been able to save all the jobs at that (Jean) facility, and we've also been able to keep almost all those inmates in Clark County."

Because of changes in the law in the 2007 Legislature, which followed Nevada Supreme Court Justice James Hardesty's prediction that the state's prison population would soon exceed its institutional capacity, parole officials have been asked to review the files of hundreds of low-risk, minimum-security inmates.

New laws and what Skolnik described as a leveling crime rate have combined to keep the state's prison population nearly flat: just eight inmates more per month as opposed to the projected 50.

And 1,300 inmates have yet to have their files reviewed by the parole board. If even a few hundred were released, there would be more than enough room at the Iron Bar Inn.

"In essence, what has happened is the population we built the facilities for hasn't come yet," Skolnik says.

While that sounds like good news, there's a small matter of a \$300 million prison expansion in a state that's fallen into an \$898 million revenue hole. While it's true that bonded construction financing can't simply be returned to the state coffers, it might have actually been spent on a necessary facility, or saved entirely.

At least three high-minded commissions have studied tough-on-crime Nevada's prison and parole systems in recent years.

The net result is, the prison construction business is booming.

And no one, from the governor's door to the penitentiary gate, questions the expense.

John L. Smith's column appears Sunday, Tuesday, Wednesday and Friday. E-mail him at Smith@reviewjournal.com or call 383-0295.